

Rory T. Kay (NSBN 12416)  
John A. Fortin (NSBN 15221)  
McDONALD CARANO LLP  
2300 West Sahara Avenue, Suite 1200  
Las Vegas, Nevada 89102  
Telephone: (702) 873-4100  
[rkay@mcdonaldcarano.com](mailto:rkay@mcdonaldcarano.com)  
[jfortin@mcdonaldcarano.com](mailto:jfortin@mcdonaldcarano.com)

*Attorneys for Defendants Frank Petosa,  
Ryan Hogan, and Michael Woodside*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MELISSA HUTCHISON aka PHOENIX  
MARIE, an individual,

Plaintiffs,

VS.

ETHICAL CAPITAL PARTNERS, a foreign entity; AYLO PREMIUM LTD., a foreign corporation; DM PRODUCTIONS, a foreign entity; DIGITAL PLAYGROUND, a foreign entity; MIND GEEK USA INCORPORATED, a foreign entity; MG PREMIUM LTD, a foreign entity; DM PRODUCTIONS, a foreign entity; DIGITAL PLAYGROUND, a foreign entity; DANNY MARTIN aka DANNY D, an individual; FRANK PETOSA an individual; RYAN HOGAN, an individual; MICHAEL WOODSIDE, an individual; and DOES 1 through 50,

20 Defendants.

Under LR IA 6-1 and 6-2 and LR 7-1, Plaintiff Melissa Hutchison aka Phoenix Marie (“Plaintiff”) and defendants Frank Petosa, Ryan Hogan, and Michael Woodside (“Removing Defendants”), by and through their attorneys, hereby agree and stipulate to the following:

25           1. On February 15, 2024, Plaintiff filed a Complaint in the Eighth Judicial District  
26 Court, Case No. A-24-887250-C, naming twelve defendants, including the Removing Defendants.

27        2. On April 5, 2024, the Removing Defendants filed a Notice of Removal to this  
28 Court. [ECF No. 1].

Case No.: 2:24-cv-00673-GMN-BNW

# **STIPULATION AND ORDER TO STAY ALL DEADLINES**

AND

**STIPULATION AND ORDER GRANTING  
EXTENSION OF TIME TO FILE  
OPPOSITION AND REPLY BRIEF TO  
REMOVING DEFENDANTS MOTION TO  
DISMISS**

**(FIRST REQUEST)**

1       3.     The Removing Defendants served Notice of Removal on Plaintiff's counsel on  
2 April 9, 2024.

3       4.     On May 3, 2024, Plaintiff filed her First Amended Complaint ("FAC"). [ECF No.  
4 9].

5       5.     On May 31, 2024, the Removing Defendants accepted service of the summons and  
6 complaint. [ECF No. 12].

7       6.     On July 1, 2024, the Removing Defendants filed their Motion to Dismiss the FAC.  
8 [ECF No. 13].

9       7.     Therein, the Removing Defendants made several jurisdictional arguments. *See id.*

10      8.     On July 2, 2024, the Court issued its minute order regarding discovery plan and  
11 scheduling order. [ECF No. 14].

12      9.     The Parties have met and conferred regarding the Removing Defendants' Motion  
13 and they each agree that the matter meets Nevada's three-part requirement for a stay to all  
14 deadlines in this matter pending the outcome of the Motion. *See Kor Media Grp. LLC v. Green*,  
15 294 F.R.D. 579, 581 (D. Nev. 2013); *see also Turner Broad Sys., Inc. v. Tracinda Corp.*, 175  
16 F.R.D. 554, 555-56 (D. Nev. 1997).

17      10.    As such, the Parties stipulate and agree to stay all statutory and procedural deadlines  
18 under Nevada law, the Fed. R. Civ. P., and the Court's local rules as to the Removing Defendants  
19 until the Court resolves the pending motion to dismiss.

20      11.    In addition to stipulating and agreeing to stay all deadlines, the Parties stipulated  
21 and agreed to a 14-day extension (i.e., July 26, 2024) for Plaintiff to file an opposition to the  
22 Removing Defendants Motion.

23      12.    The Parties likewise stipulated and agreed to 21-day extension (i.e., August 23,  
24 2024) for the Removing Defendants to file their reply brief.

25      13.    This is the first request to extend the deadline for Plaintiff to oppose the Removing  
26 Defendants' motion to dismiss and this is the first request to extend the deadline for the Removing  
27 Defendants reply brief to Plaintiff's opposition.

28      ///

14. These requests for extensions of time is not intended to cause any delay or prejudice any party.

Dated this 12th day of July, 2024.

## **McDONALD CARANO LLP**

# KERR SIMPSON ATTORNEYS AT LAW

By: /s/ Rory T. Kay

Rory T. Kay (NSBN 12416)  
John A. Fortin (NSBN 15221)  
2300 West Sahara Avenue, Suite 1200  
Las Vegas, Nevada 89102

*Attorneys for Defendants Frank Petosa, Ryan Hogan, and Michael Woodside*

By: /s/ George Robinson

P. Sterling Kerr, Esq. (NSBN 3978)  
George E. Robinson (NSBN 9667)  
2900 W. Horizon Ridge Pkwy. Suite 200  
Henderson, Nevada 89052

*Attorneys for Plaintiff Melissa Hutchison aka Phoenix Marie*

## **IT IS SO ORDERED.**

---

**UNITED STATES MAGISTRATE JUDGE**

DATED: